TIMES AND SEASONS.

"Truth will prevail."

Vol. IV. No. 5.] CITY OF NAUVOO, ILL. JAN. 16, 1843. [Whole No. 65

CIRCUIT COURT OF THE U. STATES FOR THE DISTRICT OF ILLINOIS.

December term A. D. 1842.

Before the Honorable NATHANIEL POPE, Presiding Judge.

EX-PARTE JOSEPH SMITH, ON HABEAS CORPUS. } J. BUTTERFIELD AND S. S. EDWARDS, COUNSEL FOR SMITH. J. LAMBORN, ATTORNEY GEN'L FOR THE STATE OF ILLINOIS.

This case came before the Court upon a return to a writ of Habeas Corpus, which was issued by this court on the 31st of December, 1842, upon a petition for a habeas corpus on the relation of Joseph Smith, setting forth that he was arrested and in custody of William F. Elkin, Sheriff of Sangamon county, upon a warrant issued by the Governor of the State of Illinois, upon the requisition of the Governor of the State of Missouri, demanding him to be delivered up to the Governor of Missouri, as a fugitive from justice; that his arrest as aforesaid was under color of a law of the United States, and was without the authority of law in this, that he was not a fugitive from justice, nor had he fled from the State of Missouri.

Afterwards on the same day, the Sheriff of Sangamon county returned upon the said Habeas corpus, that he detained the said Joseph Smith in custody by virtue of a warrant issued by the Governor of the State of Illinois upon the requisition of the Governor of the State of Missouri, made on the affidavit of L. W. Boggs, —copies of the said affidavit, requisition and warrant were annexed to the said return in the words and figures following:—

"*State of Missouri,* } SS.
County of Jackson. } This day personally appeared before me, Samuel Weston, a Justice of the Peace within and for the County of Jackson, the subscriber, Lilburn W. Boggs, who being duly sworn, doth depose and say, that on the night of the 6th day of May 1842, while sitting in his dwelling in the town of Independence, in the County of Jackson, he was shot with intent to kill, and that his life was despaired of for several days; and that he believes, and has good reason to believe from evidence and information now in his possession, that Joseph Smith, commonly called the Mormon Prophet, was accessary before the fact of the intended murder; and that the said Joseph Smith is a citizen or resident of the State of Illinois; and the said deponent hereby applies to the Governor of the State of Missouri to make a demand on the Governor of the State of Illinois, to deliver the said Joseph Smith, commonly called the Mormon Prophet, to some person authorized to receive and convey him to the State and county aforesaid, there to be dealt with according to law. LILBURN W. BOGGS.

Sworn to and subscribed before me, this 20th day of July, 1842.

SAMUEL WESTON, J. P."

"The Governor of the State of Missouri,
To the Governor of the State of Illinois,
GREETING.

Whereas it appears by the annexed document which is hereby certified to be authentic, that one Joseph Smith is a fugitive from justice, charged with being accessary before the fact to an assault with intent to kill, made by one O. P. Rockwell, on Lilburn W. Boggs, in this State, and it is represented to the Executive department of this State, has fled to the State of Illinois:

Now, therefore, I, Thomas Reynolds, Governor of the said State of Missouri, by virtue of the authority in me vested by the Constitution and laws of the United States, do by these presents demand the surrender and delivery of the said Joseph Smith to Edward R. Ford, who is hereby appointed as the agent to receive the said Joseph Smith on the part of the State.

In testimony," &c.

"The People of the State of Illinois, to the Sheriff of Sangamon County, GREETING:

"Whereas, it has been made known to me by the Executive authority of the State of Missouri, that one Joseph Smith, stands charged by the affidavit of one Lilburn W. BOGGS, made on the 20th day of July, 1842, at the county of Jackson, in the State of Missouri, before Samuel Weston, a Justice of the Peace, within and for the county of Jackson aforesaid, with being accessary before the fact to an assault with an intent to kill, made by one O. P. Rockwell, on Lilburn W. Boggs, on the night of the 6th day of May, 1842, at the county of Jackson, in said State of Missouri, and that the said Joseph Smith had fled from the justice of said State, and taken refuge in the State of Illinois:

Now, therefore, I, Thomas Ford, Governor of the State of Illinois, pursuant to the Constitution and laws of the United States, and of this State, do hereby command you to arrest and apprehend the said Joseph Smith, if he be found within the limits of the State aforesaid,

and cause him to be safely kept and delivered to the custody of Edward R Ford, who has been duly constituted the agent of the said State of Missouri, to receive said fugitive from the justice of said State, he paying all fees and charges for the arrest and apprehension of said Joseph Smith, and made due return to the Executive Department of this State, the manner in which this writ may be executed.

"In testimony whereof," &c.

The case was set for hearing on the 4th day of January. 1843, on which day Josiah Lamborn, Attorney General of the State of Illinois, appeared, and moved to dismiss the proceedings, and filed the following objection to the jurisdiction of the Court, viz:

"1st. The arrest and detention of Smith was not under or by color of authority of the United States, or of any officers of the United States, but under and by color of authority of the State of Illinois, by the officers of Illinois.

"2d. When a fugitive from justice is arrested by authority of the Governor of any State, upon the requisition of the Governor of another State, the courts of justice, neither State or Federal, have any authority or jurisdiction to enquire into any facts behind the writ."

The counsel of the said Joseph Smith then offered to read in evidence affidavits of several persons, showing conclusively that the said Joseph Smith was at Nauvoo, in the County of Hancock and State of Illinois, on the whole of the 6th and 7th days of May, in the year 1842, and on the evenings of those days, more than three hundred miles distant from Jackson County, in the State of Missouri, where it is alleged that the said Boggs was shot, and that he had not been in the State of Missouri at any time between the 10th day of February and the 1st day of July, 1842, the said persons having been with him during the whole of that period.—That on the 6th day of May aforesaid, he attended an officer's drill at Nauvoo aforesaid, in the presence of a large number of people, and on the 7th day of May aforesaid he reviewed the Nauvoo Legion in presence of many thousand people.

The reading of these affidavits was objected to by the Attorney General of the State of Illinois, on the ground that it was not competent for Smith to impeach or contradict the return to the Habeas Corpus. It was contended by the counsel of the said Smith, 1st, That he had a right to prove that the return was untrue. 2d, That the said affidavits did not contradict the said return, as there was no averment under oath in said return that the said Smith was in Missouri at the time of the commission of the alleged crime or had fled from the justice of that State. The Court decided that the said affidavits should be read in evidence, subject to all objections; and they were read accordingly.

The cause was argued by J. Butterfield and B. S. Edwards, for Smith, and by Josiah Lamborn, Attorney General of the State of Illinois, contra.

J. Butterfield, counsel for Smith, made the following points:—

1. This court has jurisdiction.

The requisition purports on its face to be made, and the warrant to be issued, under the Constitution and laws of the United States, regulating the surrender of fugitives from justice.—2d sec. 4th article Const. U. S.—1st sec. of the act of Congress of 12th Feb. 1793.

When a person's rights are invaded under a law of the United States he has no remedy except in the courts of the United States.—2d sec. 3d article Const. U. S.—12th Wend. 325.—16 Peters 543.

The whole power in relation to the delivering up of fugitives from justice and labor, has been delegated to the United States, and Congress have regulated the manner and form in which it shall be exercised. The power is exclusive. The State Legislatures have no right to interfere, and if they do, their acts are void. —2d and 3d clause of 2d sec. 4th article Const. U. S.—2d vol. laws U. S. 331.—16 Peters 617—18, 623.—4th Wheaton's Rep. 122, 193—12, Wend. 312.

All courts of the United States are authorized to issue writs of Habeas Corpus when the prisoner is confined under or by color of authority of the United States.—Act of Congress of Sept. 24th, 1789, sec. 14. 2d condensed 33.—3d. Cranch 447. 3d Peters 193.

2. The return to the Habeas Corpus is not certain and sufficient to warrant the arrest and transportation of Smith.

In all cases on Habeas Corpus previous to indictment, the court will look into the depositions before the Magistrate, and though the commitment be full and in form, yet if the testimony prove no crime, the court will discharge Ex-parte.—Taylor 5th, Cowen 50.

The affidavit of Boggs does not show that Smith was charged with any crime committed by him in Missouri, nor that he was a fugitive from justice.

If the commitment be for a matter for which by law the prisoner is not liable to be punished, the court must discharge him.—3. Bac. 434.

The Executive of this State has no jurisdiction over the person of Smith to transport him

to Missouri, unless he has fled from that State.

3. The prisoner has a right to prove facts not repugnant to the return, and even to go behind the return and contradict it, unless committed under a *judgment* of a court of competent jurisdiction.—3d Bacon 435, 438.—3d Peters 202.—Gale's Rev. Laws of Ills. 323.

The testimony introduced by Smith at the hearing, showing conclusively that he was not a fugitive from justice, is not repugnant to the return.

J. Lamborn, Attorney General of the State of Illinois, in support of the points made by him, cited 2d Condensed Rep. 37; Gordon's Digest, 73; Gale's Statutes of Illinois 318; Conkling 85; 9th Wendall 212.

And afterwards, on the 5th day of January 1843, Judge POPE delivered the following

OPINION:

The importance of this case, and the consequences which may flow from an erroneous precedent, affecting the lives and liberties of our citizens, have impelled the court to bestow upon it the most anxious consideration. The able arguments of the Counsel for the respective parties have been of great assistance in the examination of the important question arising in this cause.

When the patriots and wise men who framed our Constitution were in anxious deliberation to form a perfect union among the states of the confederacy, two great sources of discord presented themselves to their consideration: the commerce between the States, and fugitives from justice and labor. The border collisions in other countries had been seen to be a fruitful source of war and bloodshed, and most wisely did the constitution confer upon the National Government the regulation of those matters, because of its exemption from the excited passions awakened by conflicts between neighboring States, and its ability alone to adopt a uniform rule, and establish uniform laws among all the States in those cases.

This case presents the important question arising under the constitution and laws of the United States, whether a citizen of the State of Illinois can be transported from his own State to the State of Missouri, to be there tried for a crime, which, if he ever committed, was committed in the State of Illinois; whether he can be transported to Missouri, as a fugitive from justice, when he has never fled from that State.

Joseph Smith is before the court on *habeas corpus*, directed to the Sheriff of Sangamon County State of Illinois. The return shows that he is in custody under a warrant from the Executive of Illinois, professedly issued in pursuance of the constitution and laws of the United States, and of the State of Illinois, ordering said Smith to be delivered to the agent of the Executive of Missouri, who had demanded him as a fugitive from justice, under the 2nd section, 4th article of the Constitution of the United States, and the act of Congress passed to carry into effect that article. The article is in these words, viz: "A person charged in any State with Treason, Felony, or other crime, who shall flee from justice and be found in another State, shall on demand of the Executive authority of the State from which he fled, be delivered up to be removed to the State having jurisdiction of the crime." The act of Congress made to carry into effect this article, directs that the demand be made on the Executive of the State where the offender is found, and prescribes the proof to support the demand, viz: Indictment or affidavit.

The Court deemed it respectful to inform the Governor and Attorney General of the State of Illinois, of the action upon the habeas corpus, on the day appointed for the hearing, the Attorney General for the State of Illinois, appeared, and denied the jurisdiction of the Court to grant the Habeas Corpus.

1st. Because the warrant was not issued under colour or by authority of the United States, but by the State of Illinois.

2d. Because no habeas corpus can issue in this case from either the Federal or State courts to enquire into facts behind the writ. In support of the first point, a law of Illinois was read, declaring that whenever the Executive of any other State shall demand of the Executive of this State, any person, as a fugitive from justice, and shall have complied with the requision of the act of Congress in that case made and provided, it shall be the duty of the Executive of this State to issue his warrant to apprehend the said fugitive, &c. It would seem that this act does not purport to confer any additional power upon the Executive of this State, independent of the power conferred by the Constitution and laws of the United States, but to make it the *duty* of the Executive to obey and carry into effect the act of Congress. The warrant on its face purports to be issued in pursuance of the Constitution and laws of the United States, as well as of the State of Illinois. To maintain the position that this warrant was not issued under color or by authority of the laws of the United States, it must be proved, that the United States could not confer the power on the executive of Illinois. Because if Congress could and did confer it, no act of Illinois could take it away, for the reason that the Constitution and laws of the

United States passed in pursuance of it, and treaties, are the supreme law of the land; and the Judges in every State shall be bound thereby, any thing in the Constitution or Laws of any State to the contrary notwithstanding. This is enough to dispose of that point. If the Legislature of Illinois, as is probable, intended to make it the duty of the Governor to exercise the power granted by Congress, and no more, the Executive would be acting by authority of the United States. It may be that the Legislature of Illinois, appreciating the importance of the proper execution of those laws, and doubting whether the Governor could be punished for refusing to carry them into effect, deemed it prudent to impose it as a duty, the neglect of which would expose him to impeachment. If it intended more, the law is unconstitutional and void.—16 Peters 617 Prigg vs. Pennsylvania.

In supporting the second point the Attorney General seemed to urge that there was greater sanctity in a warrant issued by the Governor, than by an inferior officer. The Court cannot assent to this distinction. This is a Government of laws, which prescribes a rule of action, as obligatory upon the Governor as upon the most obscure officer. The character and purposes of the *habeas corpus* are greatly misunderstood by those who suppose that it does not review the acts of an Executive Functionary; all who are familiar with English history must know that it was extorted from an arbitary monarch and that it was hailed as a second Magna Charta, and that it was to protect the subject from arbitrary imprisonment by the King and his minions, which brought into existence that great Palladium of liberty in the latter part of the reign of Charles the Second. It was indeed a magnificient achievement over arbitary power. Magna Charta established the principles of liberty; the Habeas Corpus protected them. It matters not how great or obscure the prisoner, how great or obscure the prison-keeper, this munificent writ, wielded by an independent Judge, reaches all. It penetrates, alike the Royal Towers and the local prisons, from the garret to the secret recesses of the dungeon. All doors fly open at its command, and the shackles fall from the limbs of prisoners of State as readily as from those committed by subordinate officers. The warrant of the King and his Secretary of State could claim no more exemption from that searching enquiry, "The cause of his caption and detention," than a warrant granted by a justice of the peace. It is contended that the United States, is a government of granted powers, and that no Department of it can exercise powers not granted. This is true. But the grant is to be found in the 2d section of the 3d article of the Constitution of the United States.—"The Judicial power shall extend to all cases in law or equity, arising under this Constitution, the laws of the United States, and treaties made and which shall be made under their authority."

The matter under consideration presents a *case* arising under the 2d section, 4th article of the Constitution of the United States, and the act of Congress of February 12th, 1793, to carry it into effect. The Judiciary act of 1789 confers on this Court (indeed on all the Courts of the United States,) power to issue the writ of Habeas Corpus, when a person is confined "under color of or by the authority of the United States.' Smith is in custody under color of, and by authority of the 2d sec. 4th art. of the Constitution of the United States. As to the instrument employed or authorized to carry into effect that article of the Constitution (as he derives from it the authority to issue the warrant,) he must be regarded as acting by the authority of the United States. The power is not official in the Governor, but personal. It might have been granted to any one else by name, but considerations of convenience and policy recommended the selection of the Executive, who never dies. The citizens of the States are citizens of the U. States; hence the U. States are as much bound to afford them protection in their sphere, as the States are in their's.

This Court has jurisdiction. Whether the State Courts have jurisdiction or not, this Court is not called upon to decide.

The return of the Sheriff shows that he has arrested and now holds in custody Joseph Smith, in virtue of a warrant issued by the Governor of Illinois, under the 2d section of the 4th article of the Constitution of the United States, relative to fugitives from justice, and the act of Congress passed to carry it into effect. The article of the Constitution does not designate the person upon whom the demand for the fugitive shall be made; nor does it prescribe the proof upon which he shall act. But Congress has done so. The proof is "an indictment or affidavit," to be certified by the Governor demanding. The return brings before the Court the warrant, the demand and the affidavit. The material part of the latter is in these words, viz:—"Lilburn W. Boggs, who 'being duly sworn, doth depose and say, that 'on the night of the sixth day of May, 1842, 'while sitting in his dwelling in the town of 'Independence, in the county of Jackson, he 'was shot with intent to kill, and that his life 'was despaired of for several days, and that he

'believes and has good reason to believe from 'evidence and information now in his possession, that Joseph Smith, commonly called the 'Mormon Prophet, was accessary before the 'fact of the intended murder, and that the said 'Joseph Smith is a citizen or resident of the 'State of Illinois." This affidavit is certified by the Governor of Missouri to be authentic. The affidavit being thus verified, furnished the only evidence upon which the Governor of Illinois could act Smith presented affidavits proving that he was not in Missouri at the date of the shooting of Boggs. This testimony was objected to by the Attorney General of Illinois, on the ground that the Court could not look behind the return. The court deems it unnecessary to decide that point, inasmuch as it thinks Smith entitled to his discharge for defect in the affidavit. To authorise the arrest in this case the affidavit should have stated distinctly, 1st That Smith had committed a crime. 2d, That he committed it in Missouri.

It must appear that he fled from Missouri to authorise the Governor of Missouri to demand him, as none other than the Governor of the State from which he *fled* can make the demand. He could not have fled from justice, unless he committed a crime, which does not appear. It must appear that the crime was committed in Missouri to warrant the Governor of Illinois in ordering him to be sent to Missouri for trial. The 2d section, 4th article, declares he 'shall be removed to the State having jurisdiction of the crime.'

As it is not charged that the crime was committed by Smith in Missouri, the Governor of Illinois could not cause him to be removed to that State, unless it can be maintained that the State of Missouri can entertain jurisdiction of crimes committed in other States. The affirmative of this proposition was taken in the argument with a zeal indicating sincerity. But no adjudged case or dictum was adduced in support of it. The Court conceives that none can be. Let it be tested by principle.

Man in a state of nature is a sovereign, with all the prerogatives of King, Lords and Commons. He may declare war and make peace, and as nations often do who "feel power and forget right,"—may oppress, rob and subjugate his weaker and unoffending neighbors. He unites in his person the legislative, judicial and executive power—"can do no wrong," because there is none to hold him to account. But when he unites himself with a community, he lays down all the prerogatives of sovereign (except self-defence,) and becomes a subject. He owes obedience to its laws and the judgments of its tribunals, which he is supposed to have participated in establishing, either directly or indirectly. He surrenders also, the right of self-redress. In consideration of all which, he is entitled to the ægis of that community to defend him from wrongs. He takes upon himself no allegiance to any other community, so owes it no obedience, and therefore cannot disobey it. None other than his own sovereign can prescribe a rule of action to him. Each sovereign regulates the conduct of its subjects, and they may be punished upon the assumption that they know the rule and have consented to be governed by it. It would be a gross violation of the social compact, if the State were to deliver up one of its citizens to be tried and punished by a foreign State, to which he owes no allegiance, and whose laws were never binding on him. No State can or will do it.

In the absence of the constitutional provision, the State of Missouri would stand on this subject in the same relation to the State of Illinois, that Spain does to England. In this particular the States are independent of each other. A criminal, fugitive from the one State to the other, could not be claimed as of right to be given up. It is most true as mentioned by writers on the laws of nations that every State is responsible to its neighbors for the conduct of its citizens so far as their conduct violates the principles of good neighborhood. So it is among private individuals. But for this, the inviolability of territory, or private dwelling, could not be maintained. This obligation creates the right, and makes it the duty of the State to impose such restraints upon the citizen as the occasion demands. It was in the performance of this duty, that the United States passed laws to restrain citizens of the United States from setting on foot and fitting out military expeditions against their neighbors. While the violators of this law kept themselves within the United States, their conduct was cognizable in the courts of the United States, and not of the offended State, even if the means provided had assisted in the invasion of the foreign State. A demand by the injured State upon the United States for the offenders, whose operations were in their own country, would be answered, that the United States' laws alone could act upon them, and that as a good neighbor it would punish them.

It is the duty of the State of Illinois, to make it criminal in one of its citizens to aid, abet, counsel, or advise, any person to commit a crime in her sister State,—any one violating the law would be amenable to the laws of Illinois, executed by its own tribunals. Those of Mis-

souri, could have no agency in his conviction and punishment. But if he shall go into Missouri, he owes obedience to her laws, and is liable before her courts, to be tried and punished for any crime he may commit there, and a plea that he was a citizen of another State, would not avail him. If he escape, he may be surrendered to Missouri for trial. But when the offence is perpetrated in Illinois, the only right of Missouri, is, to insist that Illinois, compel her citizens to forbear to annoy her. This she has a right to expect:—for the neglect of it nations go to war and violate territory.

The court must hold that where a necessary fact is not stated in the affidavit, it does not exist. It is not averred that Smith was accessary before the fact, in the State of Missouri, nor that he committed a crime in Missouri: therefore he did not commit the crime in Missouri,—did not flee from Missouri to avoid punishment.

Again, the affidavit charges the shooting on the 6th of May in the County of Jackson and State of Missouri. 'that he believes and has 'good reason to believe, from evidence and in-'formation now (then) in his possession, that 'Joseph Smith was accessary before the fact, and 'is a resident or citizen of Illinois.' There are several objections to this. Mr. Boggs having the 'evidence and information in his possession,' should have incorporated it in the affidavit to enable the Court to judge of their sufficiency to support his 'belief.' Again, he swears to a legal conclusion when he says that Smith was *accessary before the fact.* What acts constitute a man an accessary in a question of law are not always of easy solution. Mr Boggs' opinion then, is not authority. He should have given the facts. He should have shown that they were committed in Missouri, to enable the court to test them by the laws of Missouri, to see if they amounted to a crime. Again, the affidavit is fatally defective in this, that Boggs swears to his *belief.*

The language in the Constitution is 'charged with felony, or other crime.' Is the Constitution satisfied with a *charge* upon suspicion? It is to be regretted that no American adjudged case has been cited to guide the Court in expounding this article. Language is ever interpreted by the subject matter. If the object were to arrest a man near home, and there were fears of escape if the movement to detain him for examination were known, the word *charged* might warrant the issuing of a capias on *suspicion.* Rudyard (reported in Skin. 676) was committed to Newgate for refusing to give bail for his good behavior, and was brought before Common Pleas on Habeas Corpus. The return was that he had been complained of for exciting the subjects to disobedience of the laws against *seditious conventicles*, and upon examination they found *cause* to suspect him. Vaughan, Chief Justice 'Tyrrel and Archer against Wild held 'the return insufficient, 1st, because it did not 'appear but that he might abet frequenters of 'conventicles in the way the law allows. 2d 'To say that he was complained of or was examined, is no proof of his guilt. And then to 'say that he had cause to suspect him is too 'cautious; for who can tell what they count a 'cause of *suspicion*, and how can that ever be 'tried? At this rate they would have arbitrary 'power upon their own allegation, to commit 'whom they pleased.'

From this case it appears that suspicion does not warrant a commitment and that all legal intendments are to avail the prisoner. That the return is to be most strictly construed in favor of liberty. If suspicion in the foregoing case did not warrant a commitment in London by its officers, of a citizen of London, might not the objection be urged with greater force against a commitment of a citizen of our State to be transported to another on *suspicion?* No case can arise demanding a more searching scrutiny into the evidence, than in cases arising under this part of the constitution of the U. States. It is proposed to deprive a freeman of his liberty; to deliver him into the custody of strangers, to be transported to a foreign State, to be arraigned for trial before a foreign tribunal, governed by laws unknown to him; separated from his friends, his family and his witnesses, unknown and unknowing. Had he an immaculate character, it would not avail him with strangers. Such a spectacle is appaling enough to challenge the strictest analysis.

The framers of the Constitution were not insensible of the importance of courts possessing the confidence of the parties. They therefore provided that citizens of different States, might resort to the federal courts in civil causes. How much more important that the criminal have confidence in his Judge and Jury? Therefore, before the capias is issued, the officers shoul see that the case is made out to warrant it.

Again, Boggs was shot on the 6th of May.—The affidavit was made on the 20th of July following. Here was time for enquiry, which would confirm into certainty or dissipate his suspicions. He had time to collect facts to be had before a grand jury or be incorporated in his affidavit. The court is bound to assume that this would have been the course of Mr. Boggs, but that his suspicions were light and unsatisfactory.

The affidavit is insufficient, 1st, Because it is not positive. 2. Because it charges no crime. 3, It charges no crime committed in the State of Missouri. Therefore he did not flee from the justice of the State of Missouri, nor has he taken refuge in the State of Illinois.

The proceedings in this affair from the affidavit to the arrest affords a lesson to Governors and judges whose action may hereafter be invoked in cases of this character.

The affidavit simply says that the affiant was shot with intent to kill, and he believes that Smith was accessary before the fact to the intended murder, and is a citizen or resident of the State of Illinois. It is not said who shot him, or that the person was unknown.

The Governor of Missouri in his demand calls Smith a fugitive from justice, charged with being accessary before the fact to an assault with intent to kill, made by one O. P. Rockwell, on Lilburn W. Boggs, in this State [Missouri.]—This Governor expressly refers to the affidavit as his authority for that statement. Boggs in his affidavit does not call Smith a *fugitive from justice*, nor does he state a fact from which the Governor had a right to infer it. Neither does the name of O. P. Rockwell appear in the affidavit, nor does Boggs say Smith *fled*. Yet the Governor says he has *fled* to the State of Illinois. But Boggs only says he is a *citizen* or *resident* of the State of Illinois.

The Governor of Illinois responding to the demand of the Executive of Missouri, for the arrest of Smith, issues his warrant for the arrest of Smith, reciting that 'whereas Joseph 'Smith stands charged by the affidavit of Lil-'burn W. Boggs with being accessary before 'the fact to an assault with intent to kill, made 'by one O. P. Rockwell on Lilburn W. Boggs, 'on the night of the 6th day of May, 1842, at 'the county of Jackson, in said State of Mis-'souri, and that the said Joseph Smith has fled 'from the justice of said State, and taken ref-'uge in the State of Illinois.'

Those facts do not appear by the affidavit of Boggs. On the contrary, it does not assert that Smith was accessary to O. P. Rockwell: nor that he had fled from the justice of the State of Missouri, and taken refuge in the State of Illinois.

The Court can alone regard the facts set forth in the affidavit of Boggs, as having any legal existence. The mis-recitals and over statements in the requisition and warrant, are not supported by oath, and cannot be received as evidence to deprive a citizen of his liberty, and transport him to a foreign State for trial. For these reasons Smith must be discharged.

At the request of J. Butterfield, counsel for Smith, it is proper to state in justice to the present Executive of the State of Illinois, Governor Ford, that it was admitted on the argument, that the warrant which originally issued upon the said requisition, was issued by his predecessor; that when Smith came to Springfield to surrender himself up upon that warrant, it was in the hands of the person to whom it had been issued at Quincy in this State; and that the present warrant, which is a copy of the former one, was issued at the request of Smith, to enable him to test its legality by writ of Habeas Corpus.

Let an order be entered that Smith be discharged from his arrest.

HISTORY OF JOSEPH SMITH.

Continued.

I will say, however, that amid all trials and tribulations we had to wade through, the Lord, who well knew our infantile and delicate situation, vouchsafed for us a supply, and granted us "line upon line, here a little and there a little;" of which the following was a precious morsel.

A Revelation to Joseph Smith, jun. given June, 1830.

The words of God which he spake unto Moses at a time when Moses was caught up into an exceeding high mountain; and he saw God face to face, and he talked with him, and the glory of God was upon Moses: therefore Moses could endure his presence. And God spake unto Moses, saying: Behold I am the Lord God Almighty, and endless is my name, for I am without beginning of days or end of years: and is not this endless? And behold thou art my son, wherefore, look and I will show the workmanship of mine hands, but not all: for my works are without end, and also my words, for they never cease: wherefore no man can behold all my works except he behold all my glory: and no man can behold all my glory, and afterwards remain inthe flesh. And I have a work for thee, Moses my son; and thou art in the similitude of mine only begotten; and mine only begotten is and shall be the Saviour, for he is full of grace and truth; but there is no God besides me; and all things are present with me, for I know them all. And now behold this one thing I show unto thee, Moses, my son, for thou art in the world, and now I show it unto thee. And it came to pass that Moses looked and beheld the world upon which he was created, and Moses beheld the world and the ends thereof, and all the children of men which was and which are created: of the same he greatly marvelled, and won-

dered! and the presence of God withdrew from Moses, that his glory was not upon Moses; and Moses was left unto himself. And as he was left unto himself he fell unto the earth, and it came to pass, that it was for the space of many hours before Moses did again receive his natural strength like unto man; and he saith unto himself, now, for this cause I know that man is nothing, which thing I never had supposed; but now mine eyes, mine own eyes, but not mine eyes, for mine eyes could not have beheld; for I should have withered and died in his presence; but his glory was upon me: And I beheld his face, for I was transfigured before him.

And it came to pass that when Moses had said these words, behold Satan came tempting him, saying: Moses, son of man, worship me. And it came to pass, that Moses looked upon Satan, and said who art thou? for behold I am a son of God, in the similitude of his only begotten; and where is thy glory, that I should worship thee? for behold I could not look upon God, except his glory should come upon me, and I were strengthened before him: But I can look upon thee in the natural man: Is it not so surely? Blessed is the name of my God, for his spirit hath not altogether withdrawn from me, or else, where is thy glory? for it is darkness unto me; and I am judge between thee and God: for God said unto me, worship God, for him only shalt thou serve: Get thou hence, Satan; deceive me not, for God said unto me. thou art after the similitude of mine only begotten. And he also gave me commandments, when he called unto me out of the "burning bush," saying: call upon God in the name of mine only begotten, and worship me. And again Moses said, I will not cease to call upon God: I have these things to inquire of him, for his glory has been upon me: wherefore I can judge between him and thee. Depart hence, Satan.

And now when Moses had said these words, Satan cried with a Loud voice, and went upon the earth, and commanded, saying: I am the only begotten, worship me. And it came to pass that Moses began to fear exceedingly; and as he began to fear he saw the bitterness of hell: nevertheless, calling upon God, he received strength; and he commanded, saying: Depart from me Satan, for this one God only will I worship, which is the God of glory. And now Satan began to tremble, and the earth shook; and Moses received strength, and called upon God, saying, in the name of Jesus Christ, depart hence Satan. And it came to pass, that Satan cried with a loud voice, with weeping and gnashing of teeth, and departed hence, even from the presence of Moses, that he beheld him not.

And now of this thing Moses bore record, but because of wickedness it is not had among the children of men. And it came to pass that when Satan had departed from the presence of Moses, he lifted up his eyes unto heaven, being filled with the Holy Ghost, which beareth record of the Father and the Son; and calling on the name of God he beheld his glory again, for it was upon him, and he heard a voice, saying: Blessed art thou Moses, for I the Almighty have chosen thee; and thou shall be made stronger than many waters; for they shall obey thy command as if thou wert God: And lo, I am with thee, even unto the end of thy days: for thou shalt deliver my people from bondage, even Israel my chosen. And it came to pass as Moses' voice was still speaking, he cast his eyes, and behold the earth, yea, even all the face of it, there was not a particle of it which he did not behold, descrying it by the spirit of God.—And he beheld also the inhabitants thereof, and there was not a soul which he beheld not, and he discerned them by the spirit of God: And their numbers were great, even numberless as the sand upon the sea shore: And he beheld many lands; and each land was called earth, and there were inhabitants on the face thereof. And it came to pass that Moses called upon God, saying, tell me, I pray thee, why these things are so, and by what thou madest them? And behold the glory of God was upon Moses, so that Moses stood in the presence of God, and he talked with Moses, face to face; and the Lord God said unto Moses, for mine own purpose have I made these things. Here is wisdom, and it remaineth in me. And by the word of my power have I created them, which is mine only begotten Son, who is full of grace and truth: And worlds without number have I created; and I also created them for mine own purpose; and by the Son I created them, which is mine only begotten: And the first man, of all men, have I called Adam, which is many. But only an account of this earth, and the inhabitants thereof, give I unto you: For behold there are many worlds which have passed away by the words of my power. And there are many which now stand, and innumerable are they unto man, but all things are numbered unto me, for they are mine, and I know them.—And it came to pass, that Moses spake unto the Lord, saying, Be merciful unto thy servant, O God, and tell me concerning this earth, and the inhabitants thereof; and also the heavens, and then thy servant will be content. And the

Lord God spake unto Moses, saying, The heavens they are many, and they cannot be numbered unto man, but they are numbered unto me, for they are mine, and as one earth shall pass away, and the heavens thereof, even so shall another come; and there is no end to my works, neither to my words.

Behold this is my work to my glory, to the immortality and eternal life of man. And now Moses my son, I will speak unto you concerning this earth upon which thou standest; and thou shalt write these things which I shall speak, and in a day when the children of men shall esteem my words as nought, and take many of them from the book which thou shalt write, behold I will raise up another like unto thee, and they shall be had again among the children of men; among as many as shall believe those words were spoken unto Moses in the Mount, the name of which shall not be known among the children of men. And now they are spoken unto you. Amen.

TIMES AND SEASONS.

CITY OF NAUVOO,

MONDAY, JANUARY 16. , 1843.

SONS OF GOD.

When the gospel of Jesus Christ was ushered forth into the world, there was something beautiful and glorious, connected with it;—something which when rightly understood, had a tendency to enamour, and captivate the soul of man. There was a dignity, a glory, and a freedom associated with its principles, which the generality of men, and even the teachers of Israel knew little or nothing about. The Jews indeed had been taught "that to them belonged the promises, the giving of the law, and the service of God:" that "theirs were the Fathers," and that from them (according to the flesh) Christ was to come: but of the nature and office of the Messiah, of the kind of glory that should be revealed when he came, and of the dignity, glory, and fulness of those blessings that should accrue to the human family, when he made his appearance among the children of men, they seemed to be entirely ignorant, as well as of the union, and relationship to God which it would be placed within the reach of the children of men to obtain through the medium of his atonement, and the redemption wrought out by him. Long accustomed to types and shadows, to sprinklings, washings, sacrifices, and the observance of a law, that could never make the comers thereunto perfect, they understood not, and cou'd not appreciate that more "excellent sacrifice," and the "better covenant," when it was revealed. They had long been "under a schoolmaster," and he had not taught them the glories of a celestial law:—the riches, glory, fulness and blessings of the gospel of peace, nor the freedom of the "sons of God;" consequently when the "true light, that lighteth every man that cometh into the world," made his appearance, "He was in the world, and the world knew him not." He came to his own, and his own received him not; but to as many as did receive him to them gave he *power to become the "sons of God,"* even to as many as believed on his name, which were born not of blood, nor of the will of the flesh, nor of man, but of God."

Not only were the Jews ignorant of these things; but the gentiles also, (who profess to believe the gospel) seem to be ignorant of the great principles that regulate the kingdom of God, and of the unspeakable priviledges of the "sons of God." As the peculiar priviledges of the gospel have long been banished from the church; as the light of revelation has long since ceased to dawn upon the professors of Christianity; and as the followers of Jesus have had no other landmark but that of the written word of God, perverted by the enthusiastic zeal of uninspired partizans and religious bigots; who however well meaning and sincere they might be, and however learned and intelligent in other respects, had no means of obtaining correct religious intelligence, nor a knowledge of the things of God. The world therefore must necessarily be ignorant, for "faith comes by hearing," (not by reading only,) and hearing by the word of God; and how can they hear without a preacher; and how can he preach except he be *sent*,"

"To as many as believed to them gave he power to become the sons of God, even to as many as believed on his name," is the declaration of John. This declaration being made, it becomes us to enquire what peculiar blessings are connected with this sonship? and what is the nature of this heavenly boon referred to by John? "for says he, to as many as believed, to them gave he power" &c., evidently showing that if they did not believe, they could not become the sons of God, neither could they without the "*true light*" referred to by John:—he might be in the world, and the world knew him not:—he might come to his own, and his own receive him not, but nevertheless he was the true light that lighteth every man that cometh into the world, as it is written by the prophet of the Lord, "the light of truth: which truth shineth. This is the light of Christ. As also he is the sun, and the power thereof by which it was made. As also he is in the moon, and is the light of the

moon, and the power thereof by which it was made. As also the light of the stars, and the power thereof by which they were made. And the earth also, and the power thereof; even the the earth upon which you stand.

And the light which now shineth, which giveth you light, is through him who enlighteneth your eyes, which is the same light that quickeneth your understandings; which light proceedeth forth from the presence of God, to fill the immensity of space. The light which is in all things; which giveth life to all things; which is the law by which all things are governed: even the power of God, who sitteth upon his throne, who is in the bosom of eternity, who is in the midst of all things."—[D C. Sec. VII. Consequently, if in the world, there is any wisdom, any intelligence, any true principle it all proceeds from the "*Father* of *Lights*, in whom there is no variableness, nor shadow of turning." All virtue, goodness, purity, righteousness that then may be in the world emanates from him, the great fountain of blessings, and the dispenser of every good; his blessings are scatterred promiscously over the universe; all the human family participate in his benevolence, "he sends his rain on the evil and on the good; and causes his sun to shine on the just and on the unjust, yet he does not bestow this sonship upon all; nor introduce the whole of the human family to the nearness of that relationship.

To be a son of God, is to be born of God, not of blood, nor of the will of the flesh, but of God: to be related to, and be the son of God. Paul says in writing to the Galatians, now ye are all the children of God by faith in Christ Jesus; for as many of you as have been baptized into Christ, have put on Christ" . . . . 'and if ye be Christs, then are ye Abraham's seed, and *heirs* according to the promise." We may here pause—and ask, what we inherit? says Paul, "ye are *heirs* of God, and *joint* heirs with Jesus Christ our Lord." Consequently we inherit great blessings; we are conjointly with Christ the sons of God, and with him inherit like blessings from the Father; he is our brother —God is our Father; and hence in Gal, iv: 4-7, it is written, "But when the fullness of time was come, God sent forth his son made of a woman—made under the law, to redeem them that were under the law, that we might receive the adoption of sons. And because ye are sons, God hath sent forth the spirit of his son into your hearts, crying, abba, Father. Wherefore thou art no more a *servant* but a *son*; and if a son, then an heir of God through Christ." Through the atonement, and redemption wrought out by him, and obedience to the law of the gospel.

There is a depth, a dignity and glory connected with this subject that very few have had any idea of; but when rightly understood it has a tendency to enlarge the heart, expand the capacity, to give us just, and comprehensive views of the plans of Jehovah, and it justifies the ways of God to man. Narrow prejudice and bigotry flees at its approach, and haggard superstition hides its head in shame. It was a subject upon which the apostles loved to dwell; and Paul in writing to the Galatians concerning their departure from the simplicity of the gospel,—portrays the dignity, the freedom, the blessings, and the glory of the sonship in striking and vivid colors; and when contrasted with the folly, the weakness, and the absurdity of the gentile superstitions; and the 'beggarly elements of the world' presents a thrilling discord.

It is an opinion that generally prevails in the religious world that all people who have united themselves to a religious body, if it is presumed that they have "got religion," are sons of God; an opinion than which nothing could be more absurd or preposterous. That many individuals have been serving God in different parts of the earth, and among different sects of professing christians, with all sincerity, diligence, and faithfulness, we are free to admit; but to say that all those individuals, or all those churches were sons of God, would be saying that which could not be supported by the scriptures of truth: we doubt not their zeal;—we do not question their diligence, nor their desire to do good; but there are certain principles, which do not exist among them, which must necessarily be connected with the sons of God. If a man is a son of God, he can comprehend the things of God, enter into the designs of Jehovah, unravel the mysteries of the kingdom of God and contemplate the future designs of the Great I Am, as they shall roll forth in all their dignity, and majesty, and glory, and this they do not profess to enjoy.

Did this principle universally exist sectarianism would fall and all the different systems of theology would crumble into ruin, idolatry would not have an existence, and Mahommedanism would be annihilated; Catholicism would be no more, the names of Presbyterian and Methodist would be blotted out, and all the different parties whether found among the Mahommedans, the heathens, or Christians, all being taught of God; would possess the same principles of intelligence, and whether in Europe, Asia, Africa, or America, they would have the same system of theology; being taught by the same God, instructed by the same spirit, and led into the same truths; and there

would be but the one church, which would be the universal church of the universal world.—For if God teaches one man he will teach him the truth; if two churches were to receive his tuition they would no longer be two but one; and if he teaches the world the world will be one.

There is a principle of intelligence connected with it that burns like a lamp in the bosom of its possessor:—chases away the "gross darkness" with which the human mind has been enveloped, and spreads a halo of glory around. Hence (says the apostle) "because ye are sons, God hath sent forth the *spirit of his son into your hearts.*" Persons thus situated are "therefore no more strangers; but fellow-citizens with the saints, and of the household of God;" possessing a union and relationship to him which nothing but the fulness of the gospel can impart; being no longer neither strangers nor servants, but *sons*.

There is a very material difference between a *servant* and a *son*; the ties that bind a father and son together are much more sacred, and binding than those which unite a master and servant. A father feels bound to his child by paternal ties, to his servant he does not: a father expects from his child a filial and an affectionate regard; but he expects a servant merely to do his work, and pays him for his services A father reveals unto his son his purposes and designs, he does not acquaint a servant with them: a son inherits his father's property, a servant does not—having received his wages he has no further demand. Hence the reason of Paul's remark, "Wherefore thou art no more a *servant*, but a *son*, and if a son then an *heir of God* through Christ," and hence also the reason of our Savior's remark John xv.—"Henceforth I call you not *servants* but *friends*" (they were his brethren, and God their father) "for the servant *knoweth not what his Lord doeth*; but I have called you friends *for all things that I have heard of my Father, I have made known unto you.*" I have revealed it. I have obtained revelations from the Father because I am his son: I have revealed them unto you because ye are his sons also; and my brethren and friends; "no longer strangers, nor aliens, but fellow-citizens." Christ had revelation, and they had revelation also; because he revealed his Father's will unto them, and they were placed in a situation to know the mind, the will, and purposes of God through the sonship. The great distinction was that a servant did not know what his Lord did, and a son did know; thus we see that a son of God has revelation, a servant has not, and this is the grand difference between the sectarians, and the Latter-Day Saints.

Take away the principle of revelation from the gospel and it is stript of its beauty, robbed of its glory, and like Sampson when his locks were shorn, it is weak, feeble, destitute, and powerless.

Enoch understood something of the principles and nature of this sonship, for he walked with God and was not for God took him.

Noah having revelations from God understood this principle; Abraham also being a son of God was made acquainted with the designs of his master, he had revelations from God and knew what his master did.

Isaac Jacob and Moses possessed the same principle, and claimed the same relationship, there were also numbers of them in Job's day, and we read that when the sons of God presented themselves before God, satan also presented himself and the Lord asked him, 'from whence comest thou?' &c.; evidently shewing that the sons of God, in those days, came into the presence of God and had communion with and revelation from him. The Lord spake also unto Job and he answered and said, 'I have heard of thee, by the hearing of the ear; but now mine eye seeth thee:' in fact we read of the sons of God before the flood and of their transgression with the daughters of men: Gen. vi. In fact it is through the medium of this relationship that men in different ages have had communicated unto them the will, purposes, and designs of the great Jehovah; or that they know anything of futurity, of God, heaven or hell. It is this principle that introduces men into the presence of God, draws aside the curtains of futurity, unveils the beauties of the eternal world, and enables man to gaze on the beatific sight, to behold the dignity and glory of God, and to contemplate the future purposes of Jehovah, as they shall roll forth in all their majesty, their dignity and glory.

The Jews were, for a season, placed under a schoolmaster until Christ; but when he came he took all that would obey the gospel from under his tuition, took away the veil that had long been on their hearts, and came "to redeem those that were under the law that they might receive the adoption of *sons.*"

When the gospel was restored, and this sonship again imparted, the heavens were again opened, and the visions of God unfolded; light burst forth upon the human mind, "and life and immortality were" (again) "brought to light by the gospel." Peter, James, and John saw Jesus transfigured on the Mount, and Elijah and Moses talking with him; the sick

were healed, the blind received their sight, the lame leaped as an hart, and the poor had the gospel preached to them; sectarianism trembled, and bigotry stood ashamed, hypocrisy was unscathed and narrow prejudice stood forth in all its native deformity; while truth stalked triumphantly and intelligence spread like the rays of the sun.

The spirit of God rested upon the people, on the day of Pentecost, "like cloven tongues as of fire;" men began to prophesy, to dream dreams, and to see visions. Paul was caught up unto the third heavens, and heard things that were not lawful to utter. John on the isle of Patmos had the heavens opened to him; while prophesies and revelations were poured forth upon the church, which led John to exclaim "Behold what manner of love the Father hath bestowed upon us, that we should be called the *sons of God:* therefore the world knoweth us not because it knew him not. Beloved now are we the sons of God and it doth not yet appear what we shall be: but *we know* that when he shall appear we shall be like him for we shall see him as he is." How did they get in possession of this intelligence, but through the medium of this sonship, and the revelation and intelligence communicated thereby? What have we had from that time to this, but forms and theories;—the systems and dogmas of men, without certainty, prophesy, or revelation? It is true that many have sincerely desiring to do the will of God; but they could only become his *servants;* because as the gospel has long since become corrupt and departed, it has not been in their power to become the "sons of God," however desirous they might be to avail themselves of that privilege. It was not until our Savior made his appearance among men, that the Jews had "power to become the sons of God," and it was not till the Lord revealed himself from the heavens, restored the priesthood and the gospel in these last days, that men had power to become his sons; but as the kingdom of heaven is now preached all men may rush into it, and avail themselves of those glorious privileges which have long been forfeited in consequence of the transgression and apostacy of the church.

Cornelius was a servant of God; he feared God together with all his his house: he fasted, and prayed, and gave alms, and his prayers, and his offerings were accepted before God; and an angel was sent to him to tell him of it; he was as good, as virtuous, as moral, as sincere and devout, as any man could be at the present day; but he was not a *son* of God, he was only a servant; and it was necessary after all his piety, and virtue, and religion, that he should send for Peter, to tell him "words whereby he and his house could be saved," and so at the present day it will be found that however devout, and sincere the children of men may have been; that it is necessary that they should come to the standard that God has set up, for the salvation of the human family in these last days; repent and be baptized, in the name of Jesus Christ, for the remission of sins, and have hands laid on them for the gift of the Holy Ghost, by those whom God has ordained, before they can receive the adoption of sons, participate in the glories of the gospel, and receive an inheritance in the celestial kingdom of God.

From the Millennial Star, June 1, 1842.

GENERAL CONFERENCE.

This conference was held in the New Corn Exchange, Manchester, on Whit-Sunday, the 15th of May, and, by adjournment on the two following days, in the large room adjoining Hayward's Hotel, Bridge Street.

Never before has it fallen to our lot to attend a meeting of the Saints, in the British Isles, so distinguished for its numbers, for the importance of the principles taught, and for the unity of feeling, affection, and sympathy that seemed to influence every heart. It was indeed, a time of refreshing; while, from the testimony borne by the elders of the different branches, the teachings of the spirit appear to have been simultaneous in preparing the minds of the servants of God for those measures that are necessary to carry into effect his great purposes in the building up of Zion, and in gathering together the Saints in obedience to the command of heaven.

The meeting being called to order, elder P. P. Pratt was unanimously chosen to preside.

Elder Ward being then chosen to act as clerk of the conference, the meeting was then opened by singing, "Go, ye messengers of glory."

Elder G. D. Watt, from Edinburgh, then engaged in prayer, when a few verses being sung, Elder Pratt proceeded to address the conference, and expressed his great satisfaction at the contemplation of the vast assemblage before him, and also at the condition of the church. He looked back at what he know of the work of the Lord, and he beheld, in the year 1830, the church rising in obscurity in the western wilderness, and consisting only of six members: he looked again only five years ago, and this island had not heard the fulness of the gospel as it had been renewed by the visions of heaven. A certain few in weakness visited these shores, trusting in the power and blessing of God; but

ow I look around me, and what do I behold? scores, hundreds, I might almost say thousands of fellow-laborers raised up. I behold on my right, and on my left, ministers of the truth from various parts of the British Isles, to represent the different conferences that have been established on the principles of truth, in the face of every opposition. Who cannot see the hand of the Lord in this? Who does not rejoice in this glorious work? and especially in contemplating what a few years will bring about in distant lands, in delivering the honest in heart from error and superstition, and introducing them into the liberty of the gospel! I look ahead, and behold a multitude which no man can number, sitting under their own vines and fig-trees.—Whence come they? out of great tribulation: they have burst the bands of their neck, they walk in white, with the hundred and forty and four thousand ministering unto them, while heaven and earth are mingling their hosannas to the lamb that was slain. But the subject is too great; suffice it to say that we have assembled to edify and instruct each other, and to transact business more important than the counsels of any senate on the face of the earth—to expatiate upon the laws of a kingdom that shall never have an end—and to do business in the name of the King of kings, the great high priest of our profession, Christ Jesus.

The number of officers present at the opening of the meeting was then called for:—

Quorum of the Twelve	1
High Priests	14
Elders	50
Priests	64
Teachers	37
Deacons	8

The representation of the churches being next required, the following were presented to the meeting:—

Manchester Conference–Represented by Charles Miller, consists of 1531 members, 36 elders, 79 priests, 50 teachers, 19 deacons, and includes the branches of Manchester, Duckinfield, Bolton and branches, Stockport, Pendlebury, Whitefield, Heatons, Eccles, Oldham, Rochdale, Leeds, Radcliffe Bridge, and Blakeley.

Liverpool Conference—Represented by John Greenhow, consists of 570 members, 23 elders, 28 priests, 21 teachers, 10 deacons, and includes the branches of Liverpool, Warrington and Newton, St. Helens, Isle of Man, Wales, and York.

Preston Conference—Represented by — Struthers, consists of 665 members, 16 elders, 22 priests, 15 teachers, 3 deacons, and includes the branches of Preston, Penworthen, Longton, Southport, Farrington, Hunter's Hill, Kendal, Brigsteer, Helme, Lancaster, and Euxton Birth.

Clitheroe Conference—Represented by Thomas Ward, consists of 325 members, 15 elders, 23 priests, 17 teachers, 6 deacons, and includes the branches of Clitheroe, Chatburn, Waddington, Downham, Blackburn, Burnley, Accrington, Ribchester, Chaidgeley, and Grindleton.

London Conference—Represented by Lorenzo Snow, consists of 400 members, 14 elders, 32 priests, 7 teachers, 8 deacons, and includes the branches of London, Woolwich, Bedford, Wybosson, Thorncut, Honeydon, Irchester, and Waddon.

Macclesfield Conference—Represented by James Galley, consists of 238 members, 8 elders, 23 priests, 14 teachers, 9 deacons, and includes the branches of Macclesfield, Congleton, Bollington, Middlewich, Northwich, and Plumbley.

Birmingham Conference—Represented by J. Riley, consists of 309 members, 11 elders, 18 priests, 12 teachers, 5 deacons, and includes the branches of Birmingham, Greats Green, West Broomwich, Oldbury, Allchurch, Dudley, Wolverhampton, and Ashby Wolds.

Staffordshire Conference—Represented by Alfred Cordon, consists of 507 members, 25 elders, 54 priests, 23 teachers, 14 deacons, and includes the branches of Hanley, Burslem, Stoke, Newcastle, Baddaley Edge, Bradley Green, Knutton Heath, Lane Ends, Audlem, Prees, Tunstall, Leek, Longport, Tittenson Heath, Doncaster, Sheffield, and Brampton.

Garway Conference — Represented by John Needham, consists of 197 members, 2 elders, 12 priests, 7 teachers, 2 deacons, and includes the branches of Garway, Abergavenny, Monmouth, Keven, Orcop, and Euyasharrold.

Cheltenham Conference—Represented by Thedore Curtis, consists of 540 members, 8 elders 22 priests, 12 teachers, 4 deacons, and includes the branches of Newberry Hill, Rock Hill, Earl Common, Pinvin, Nounton Beauchamp, Edge Hills, Little Dean's Woodside, Ponset, Killcott, Frogsmarsh, Red Marley, Bran Green, Apperby, Deerhurst, Cheltenham, Norton, and Bristol.

Froome's Hill Conference—Represented by William Kay, consists of 1101 members, 24 elders, 56 priests, 24 teachers, 12 deacons, and includes the branches of Moran's Cross, Ridgeway Cross, Dun's Close, Old Storadge, Broomyard's Downs, Clifton, Widbourn, Brinsteed, Woofren Common, Ashfield, Malvern Hill

Palle House, Call Well, Ledbury, Shaken Hill, Lugwardine, Marden, Bush Bank, Leominster, Ball Gate, Coums Move, Stoke's Lane, Froome's Hill, Stanley Hill, East Hampton, and Worcester Broad Heath.

Edinburgh Conference—Represented by G. D. Watt, consists of 271 members, 13 elders, 19 priests, 7 teachers, 3 deacons, and includes the branches of Edinburgh, Wemyss, and Stirling.

Glasgow Conference—Represented by John McAuley, consists of 564 members, 23 elders, 30 priests, 26 teachers, 15 deacons, and includes the branches of Glasgow, Thorny Bank, Shaw, Towcross, Aardrill, Renfrew, Paisley, Johnston, Bridge of Weir, Kilbirney, Bouchill, Greenock, Brechenny, Nelson, Campsie, and Ayr.

Brampton Conference—Represented by Richard Benson, consists of 171 members, 6 elders, 11 priests, 7 teachers, 2 deacons, and includes the branches of Carlisle, Brampton, Alston, and Newcastle-upon-Tyne.

Ireland Conference—Represented by David Wilkie, consists of 71 members, 1 elder, 1 priest, 2 teachers, 1 deacon, and includes the branches of Hillsborough, & Crawfoot's Burn.

Bradford and York — Represented by Henry Cuerdon, consists of 54 members, 1 elder 4 priests, 2 teachers, 1 deacon, and includes the branches of Bradford and York.

Total connected with the church, at the present time, in England, Ireland, and Scotland:

Members	7514
Elders	220
Priests	421
Teachers	110

From the reports made by the deputies from the different conferences, we are happy to state that the work of the Lord is very prosperous, and that a very general desire is prevalent amongst the Saints to gather to Zion; while the whisperings of the spirit among the priesthood have been, "save yourselves from this nntoward generation."

Elder Pratt having made some observations on the necessity of revelation being connected with the kingdom of God; and that in accordance with the revelations now given, it was our first duty to gather together to build up Zion and the Temple of the Lord, in order that we might receive the fulness of the power of the priesthood, that we might go forth for the last time, and command the attention of the nations, and the chiefs and kings of the earth.

The meeting was then dismissed by singing and prayer.

Afternoon.—Service was opened by singing, "Great is the Lord, 'tis good to praise," &c.

Elder Ward then engaged in prayer, asking a blessing on the bread.

Elder Albiston, the patriarch, then rose to bear testimony to the truth of the work of the Lord, and contrasted the fulness of the gospel with what he had previously known of religion through a long series of years. He had been in possession of some light, and the body of people (the Methodists) with whom he had been connected in earley life, he was convinced were once a good people; but he now greatly rejoiced in being permitted to see the light of the gospel of Jesus Christ, compared with which, all the systems of men were but as a taper to the sun.

Elder Snow then asked a blessing on the wine.

Elder Greenhow, of Liverpool, then addressed the meeting, and gave a statement of his former experience in connexion with the Methodists, afterwards with Mr. Aitkin and Mr. Matthews, by whom he was ordained an elder in that society. While in connexion with that people, there was a general consciousness prevailing that something was wanting—that the same results did not follow believing and obeying the word as in the primitive churches; this feeling was confirmed by his receiving a letter from the Rev. Mr. M., advising him, in connexion with others, to rise at four o'clock on certain morning to pray that they might receive the gift of the Holy Ghost; but all was in vain, for they were not in possession of the authority of the holy priesthood to administer those ordinances through which the blessings flowed.

Elders James, Riley, Crook, Reid, and priest Milnes then addressed the meeting, and bore testimony to the work of God.

The meeting was then closed by singing and prayer.

Evening.—Service was opened by singing, "What are these arrayed in white," &c.

Elder Greenhow engaged in prayer.

Elder Pratt then addressed the meeting on the duties of the Saints to the public, to God, and to themselves. It is our duty to proclaim the the gospel of truth in all places, where it is not known, to the utmost of our power; then, after this, God requires of them that they take measures to make the truth theirs, by ministering to the wants of his servants, and by opening places for the ministration of the word; and if they will not do this, we are clear of their blood: we have done our duty, and the Lord will not require more at our hands. Many of our brethren, by their zeal, have been led beyond what God has required of them. It is not the duty of

this church to get up meetings, at a great expense, time after time, to a people that will not hear. There is a time to do it, and a time not to do it. Now, I consider that in England and Scotland, where our brethren have labored, they have done their duty, in the midst of privation and difficulty, and the public, instead of inviting the servants of God amongst them have used all their ability to obstruct the progress of the kingdom of God, and have judged it without examination. But brethren, when you are invited, when the way is opened, then with all your might thrust in your sickle and reap; but where they will not hearken to the repeated offers of the gospel, then keep the means you would expend for yourselves—for the poor—to gather yourselves and build up Zion. There is a time to sow, and a time to forbear. This generation are not going to have the gospel as a pleasant song in their ears continually, whether they become obedient to it or not; no, brethren, we owe a duty to God, to ourselves, to the Jews, to the nations. Search out the humble in spirit and labour for them.—Though the great work, and I say it unto the elders around me, is to gather together in one, in obedience to the laws of heaven, in order that we may be clothed with power to go forth to all people, and command attention to the mighty work, and I propose to the presidents of conferences and the elders aroud me, the following motion,

That we feel to encourage and second the exertions of our brethren in Zion, by every means in our power, to erect the Temple of the Lord in Nauvoo; and that the elders in every conference here pledge themselves to teach it as the duty and privilege of all Saints to assist in this glorious work,

Elder G. D. Watt seconded the motion which was carried unanimously.

It was then moved by elder Pratt, seconded by elder Ward, and carried unanimously—

That this resolution be published and sent to Nauvoo, with a request that they publish it.

The meeting was then addressed on the same subject, with much power and effect, by elders Barrett, Dunn, Watt, C. Miller, J. Goodfellow, Levi Richards, James Riley, J. Galley, A. Cordon, and W. Hulme.

The meeting was then dismissed.

Monday Morning.—The meeting being opened by singing and prayer, elder Pratt proceeded to speak on the business of the day. Truly, the Lord has been mindful of us. It has been now several months since I received any communications from America, with the exception of the "Times and Seasons" for Feb. 15; but since I came here I have received three numbers of the same, by which it appears that the same spirit is deeply at work on both sides the Atlantic, on the subject of our gathering together and building up Zion. The same spirit inspiring us in temporal matters, which caused him to send out Amos Fielding, to Nauvoo, on business similar to that of elder Snider to this country, as will be perceived by the epistle of the twelve which I will read. [The epistle which we publish as our first article this month, was then read.] Elder P. then continued to address the meeting on the subject of the epistle until one o'clock, when it was closed by singing and prayer.

Afternoon.—The meeting opened at three o'clock by singing the "Spirit of God," &c. After prayer, by Elder Snow, was sung, "O Zion, when I think of thee," &c.

Elder Pratt then made some further remarks on the simultaneous teachings of the spirit in England and America, in respect to emigration.

The meeting was further addressed by elders McCann, Cottam, and Miller.

Elder Pratt then proposed the following resolution:

That the presidents and elders of the several conferences of this realm in conference assembled, hereby pledge ourselves, and agree to instruct the churches, and use our utmost endeavors to fulfil the objects of elder Snider's mission to this land, according to the epistle of the twelve now received.

Seconded by elder Watt, and carried unanimously.

Elder Snow then addressed the meeting, and stated the method they had adopted in the London conference of raising funds for the temple, which was by holding tea meetings, at which times any one wishing to appropriate anything to this purpose had the opportunity. Elder S. concluded his address by singing beautifully in tongues.

Several of the elders then addressed the meeting; and several spoke in tongues, and interpretations were given.

Elder Pratt cautioned the Saints against extremes, and that while we had done our duty towards those amongst whom we had labored so long, but who still would not listen, yet we were not to understand that we cease to preach to the Gentiles, but be ready to proclaim the truth with all our heart to every one that will hear. He also wished them to understand, that money or goods that may be forwarded to Nauvoo, for the Nauvoo House, will not necessarily be a gift, but that it will be appropriated by trustees, and the individuals transmitting it,